

Appl. No.: 10/707428
Amdt. Dated: 3/21/2005
Reply to Office action of: 12/28/2004

AMENDMENTSTOTHEDRAWINGS:

There are no amendments to the drawings.

Attachment: None

Appl. No.: 10/707428
Amdt. Dated: 3/21/2005
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REMARKS/ARGUMENTS

In the specification, new paragraph [0020] has been added to correct a grammatical error.

Claims 1 and 6 have been amended to correct informalities pointed out by the Examiner and to claim more clearly Applicants' invention including the fact that separate mounting and movement devices are not required. Support for these amendments may be found, for example, in paragraphs [0025], [0026], [0027], [0028], and [0029], and Figures 1, 2, 3, and 4. Claims 7 – 19 have been canceled.

No new matter has been introduced by these amendments

The key to the claimed invention is the production of a non-handed sun visor which utilizes a pair of pivots for both: attaching the ear to the visor body; and providing the necessary hinge, allowing the ear to flex in relation to the visor body. When viewed in this light it is clear that the claimed invention is not taught, disclosed, or fairly suggested by the cited references.

Claims 1 – 6 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner states:

Re claim 1, "either side" in line 1 lacks clear antecedent basis and could be written as – a left or right side – for clarity. Additionally, "either side" in the next to last line could be written as – either of side sides – for clarity if the above suggestion is adopted. Finally, it is noted that a space should be included between the two words on line 2 of claim 1.

Re claim 6, "said visor frame members" bridging lines 1 and 2 lacks clear antecedent basis and could be written as – said frame upper, said frame lower, -- for clarity as best understood.

By this amendment to the specification, Applicants have corrected the confusion cited by the Examiner. Specifically, applicant has amended Claims 1 and 6 incorporating the Examiner's suggestions regarding changing the language to provide for clarity and proper antecedent basis. In light of these amendments to the claims Applicants' believe this basis of rejection has now been overcome and respectfully request that the rejection be removed.

Appl. No.: 10/707428
Amdt. Dated: 3/21/2005
Reply to Office action of: 12/28/2004

Claims 1 and 6 were rejected under 35 U.S.C. 102(a) as being anticipated by Hobson et al '920. Specifically, the Examiner states:

Hobson et al (figure 9 embodiment) teaches a visor assembly which could be used on both sides of a vehicle including elements broadly readable on a frame upper (216) and a frame lower (232) which are permanently fixed together as broadly claimed. Element 214 defines a panel between the frame elements, and at least element 234 defines an ear attached to the frame upper as broadly claimed.

Re claim 6, cover 34 for the frame elements and panel defines a textured outer surface as broadly claimed.

Applicants' respectfully traverse the rejection. A fair reading of the Hobson et al (6,557,920) references discloses a sun visor comprising a foundation 28, a rounded bead member 30, an ear 32, and an upholstery cover 34 (Col. 3, lines 32 – 34). Also, taught is that "While foundation 28 is preferably described as having a butterfly-like structure, it will be appreciated that foundation 28 may comprise two discreet halves that are joined together during assembly. (Col. 3, lines 45 – 48), see also Figures 1 and 2. However, the Hobson et al reference requires that the "foundation half 38 includes an edge 80 that substantially defines the shape of ear 32" (Col. 5, lines 18 – 19). Foundation half 38 includes at least one aperture 82 therethrough that is configured to receive fastener 72 located on mating ear portion 62. Foundation half 38 also includes an aperture 84 for receiving a first interlocking tab 86 that is integrally formed with ear portion 62, as illustrated in FIG. 6. Foundation half 38 is preferably scored along a line 88 proximate aperture 84 to facilitate the initial bending of foundation half 38 once ear 32 is assembled thereto. (Col 5, lines 20 – 27), see also Figure 4. Thus, Hobson et al has a critical part of the claimed invention requires ear mounting devices that are separate from the ear hinge device located on the visor foundation.

Applicants' claimed invention eliminates the need for having separate ear mounting and hinge devices. Instead Applicants' claimed invention teaches how to utilize a single mounting/hinge device negating the need for such separate devices while allowing for a non-handed sun visor having a moveable ear portion. Clearly, the Hobson et al reference does not disclose, teach, or fairly suggest Applicants' claimed invention.

Appl. No.: 10/707428
Amdt. Dated: 3/21/2005
Reply to Office action of: 12/28/2004

In view of the remarks herein it is submitted that this rejection should be removed, and such action is respectfully solicited.

Claims 1 and 4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi in view of Brady. Specifically, the Examiner states:

Takahashi (figure 5 embodiment) teaches a visor which could be used on either side of a vehicle including a separate frame upper and lower (elements 6 – figure 6) and a panel 2 mounted between the frame elements.

Takahashi fails to teach a movable ear as recited.

Brady teaches a visor which can be used on either side of a vehicle which includes a movable ear (at 26) attached at an end of the frame to allow closer positioning of the visor with the vehicle structure to better place the visor out of the way and a user – e.g. see section 1, lines 18 – 24 and section 2, lines 16 – 21. In order to provide a visor which can be better positioned out of the way of a user, it would have been obvious to one of ordinary skill in the art to provide a movable ear section at the end of the frame elements of Takahashi in view of the teachings of Brady.

Re claim 4, the panel 2 of Takahashi includes perforations 1.

Applicants' respectfully traverse the rejection. A fair reading of the Takahashi (4,726,620) references discloses a sun visor comprising perforated sheet mounted between a pair of supporting frame members. Specifically, the Takahashi reference teaches, "...reference numeral 7 designates a frame body of the supporting frame 3 which is made of a semi-rigid polyurethane or other synthetic resin foam having a core material 8 in its center. The core material 8 is made of steel wire or the like and is bent so as to conform to the configuration of the frame body 7" (Col. 2, lines 56 – 61). Clearly, the Takahashi reference does not disclose, teach, or fairly suggest Applicants' claimed invention.

A fair reading of the Brady (3,610,680) reference discloses a sun visor comprising "...a foundation board 30, padding 32 which is wrapped around the foundation board 30, and an outer skin or covering 34 of vinyl or cloth which is wrapped around the padding 32" (Col. 2, lines 23 – 26). It is further taught that the "ear" is part of the foundation board 30 requiring no connecting hinge since the "ear" is an integral part of foundation board 30. Specifically, "...the foundation board 30 is provided with a transverse groove

Appl. No.: 10/707428
Amdt. Dated: 3/21/2005
Reply to Office action of: 12/28/2004

42 adjacent one end 44 thereof before it is padded and covered. As shown in FIGS 2, 3 and 6, the groove 42 has its base portion defined by a reduced thickness portion 46 of the board" (Col. 2, lines 31 – 36). Furthermore, the figures clearly show that in order for the end of the foundation to flex there is no frame around the foundation. Thus, the Brady reference teaches an integral moveable sun visor body portion as an integral to the whole sun visor foundation and a sun visor that requires no frame so as to allow movement of one end of said sun visor. Clearly, the Brady reference does not disclose, teach, or fairly suggest Applicants' claimed invention.

The Takahashi and Brady references are not combinable. The Takahashi reference requires a rigid frame to support the sun visor body portion. The Brady reference requires a rigid sun visor body with an integral moveable portion requiring that no rigid frame be used to allow movement of said moveable body portion. Even if the Takahashi and Brady references were combinable, which they are not, they do not teach applicant's claimed invention. Neither of these references discloses, or fairly suggests the use of a separate ear portion which is mounted to a sun visor body portion and which also uses the mounting device as hinge. Clearly, no combination of Takahashi and Brady, even if possible, disclose, teach, or fairly suggest Applicant's claimed invention.

Applicants' claimed invention does not require the two-part frame of Takahashi, or the living hinge of Brady. In fact, the Takahashi rigid frame surrounding the complete sun visor would not allow for a flexible ear at all.

In view of the remarks herein it is submitted that this rejection should be removed, and such action is respectfully solicited.

Claims 2 and 3 were rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi in view of Brady and further in view of Greig. Specifically, the Examiner states:

Takahashi (figure 5 embodiment) teaches a visor which could be used on either side of a vehicle including a separate frame upper and lower (elements 6 – figure 6) and a panel 2 mounted between the frame elements.

Takahashi fails to teach a movable ear as recited.

Brady teaches a visor which can be used on either side of a vehicle which includes a movable ear (at 26) attached at an end of the frame to allow closer positioning of the visor with the vehicle structure to better place the visor out of the

Appl. No.: 10/707428
Amdt. Dated: 3/21/2005
Reply to Office action of: 12/28/2004

way of a user – e.g. see section 1, lines 18 – 24 and section 2, lines 16 – 21. In order to provide a visor which can be better positioned out of the way of a user, it would have been obvious to one of ordinary skill in the art to provide a movable ear section at the end of the frame elements of Takahashi in view of the teachings of Brady.

Re claims 2 and 3, Takahashi further teaches that the panel 2 is fixed between the frame upper and the frame lower (6's) and that these elements (2,6) are welded together via high frequency welding – see section 3, lines 14 – 23.

Takahashi fails to teach specifically heat welding.

Greig teaches a visor assembly which relies on heat welding to fuse two thermoplastic frame members 16, 18 together.

If thermoplastic materials were more readily available or inexpensive in a given market, it would have been obvious to one of ordinary skill in the art to substitute thermoplastic materials that are heat welded together for the high-frequency welded materials of Takahashi (as modified by Brady) in view of the teachings of Greig.

Applicants' respectfully traverse the rejection. A fair reading of the Takahashi (4,726,620) references discloses a sun visor comprising perforated sheet mounted between a pair of supporting frame members. Specifically, the Takahashi reference teaches, "...reference numeral 7 designates a frame body of the supporting frame 3 which is made of a semi-rigid polyurethane or other synthetic resin foam having a core material 8 in its center. The core material 8 is made of steel wire or the like and is bent so as to conform to the configuration of the frame body 7" (Col. 2, lines 56 – 61). Clearly, the Takahashi reference does not disclose, teach, or fairly suggest Applicants' claimed invention.

A fair reading of the Brady (3,610,680) reference discloses a sun visor comprising "...a foundation board 30, padding 32 which is wrapped around the foundation board 30, and an outer skin or covering 34 of vinyl or cloth which is wrapped around the padding 32" (Col. 2, lines 23 – 26). It is further taught that the "ear" is part of the foundation board 30 requiring no connecting hinge since the "ear" is an integral part of foundation board 30. Specifically, "...the foundation board 30 is provided with a transverse groove 42 adjacent one end 44 thereof before it is padded and covered. As shown in FIGS 2, 3 and 6, the groove 42 has its base portion defined by a reduced thickness portion 46 of

Appl. No.: 10/707428
Amdt. Dated: 3/21/2005
Reply to Office action of: 12/28/2004

the board" (Col. 2, lines 31 – 36). Furthermore, the figures clearly show that in order for the end of the foundation to flex there is no frame around the foundation. Thus, the Brady reference teaches an integral moveable sun visor body portion as an integral to the whole sun visor foundation and a sun visor that requires no frame so as to allow movement of one end of said sun visor. Clearly, the Brady reference does not disclose, teach, or fairly suggest Applicants' claimed invention.

A fair reading of the Greig (3,128,121) reference discloses a lightweight plastic sun visor blade. Specifically, "The blade itself is a hollow structural plastic shape preferably formed from two complementary plastic sheets..." (Col. 2, lines 62 – 63). The reference does not teach a moveable ear at one end of a sun visor blade. In fact, this reference, does not teach a sun visor blade having any ear portion at all. Applicant can find no teaching of any specific method of "fusing" the complementary plastic sheets within this reference. However, even if this reference did disclose the use of heat welding it does not disclose, teach, or fairly suggest Applicant's claimed invention. Clearly, the Greig reference does not disclose, teach, or fairly suggest Applicants' claimed invention.

The Takahashi, Brady, and Greig references are not combinable. The Takahashi reference requires a rigid frame to support the sun visor body portion. The Brady reference requires a rigid sun visor body with an integral moveable portion requiring that no rigid frame be used to allow movement of said moveable body portion. The Greig reference does not disclose a moveable body portion, and requires a flexible visor blade having no rigid frame member at all. Even if the Takahashi, Brady, and Greig references were combinable, which they are not, they do not teach applicant's claimed invention. None of these references discloses, or fairly suggests the use of a separate ear portion which is mounted to a sun visor body portion and which also uses the mounting device as hinge. Clearly, no combination of Takahashi, Brady, and Greig, even if possible, disclose, teach, or fairly suggest Applicant's claimed invention.

Applicants' claimed invention does not require the two-part frame of Takahashi, the living hinge of Brady, or the flexible fused plastic body having no moveable ear portion of Greig. In fact, the Takahashi rigid frame surrounding the complete sun visor would not allow for a flexible ear at all and would defeat the whole purpose of the Greig teaching. In view of the remarks herein it is submitted that this rejection should be removed, and such action is respectfully solicited.

Appl. No.: 10/707428
Amdt. Dated: 3/21/2005
Reply to Office action of: 12/28/2004

Claim 5 was rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi in view of Brady and further in view of Masi. Specifically, the Examiner states:

Takahashi (figure 5 embodiment) teaches a visor which could be used on either side of a vehicle including a separate frame upper and lower (elements 6 – figure 6) and a panel 2 mounted between the frame elements.

Takahashi fails to teach a movable ear as recited.

Brady teaches a visor which can be used on either side of a vehicle which includes a movable ear (at 26) attached at an end of the frame to allow closer positioning of the visor with the vehicle structure to better place the visor out of the way of a user – e.g. see section 1, lines 18 – 24 and section 2, lines 16 – 21. In order to provide a visor which can be better positioned out of the way of a user, it would have been obvious to one of ordinary skill in the art to provide a movable ear section at the end of the frame elements of Takahashi in view of the teachings of Brady.

Re claim 5, Takahashi teaches that the panel 2 is perforated with holes 1 but fails to teach the specific hole size and spacing as recited.

Masi teaches a perforated vehicle visor to reduce sun glare in which the perforations have an idealized diameter of 0.5 to 1.5 mm and are spaced a distance between 1.5 and 4 mm.

In order to obtain a desired optimal level of sun glare reduction, it would have been obvious to one of ordinary skill in the art to size/space the perforations of Takahashi as modified by Brady to include 1.5mm diameter holes spaced at 4mm which reads on the claim 5 language as broadly recited.

Applicants' respectfully traverse the rejection. A fair reading of the Takahashi (4,726,620) references discloses a sun visor comprising perforated sheet mounted between a pair of supporting frame members. Specifically, the Takahashi reference teaches, "...reference numeral 7 designates a frame body of the supporting frame 3 which is made of a semi-rigid polyurethane or other synthetic resin foam having a core material 8 in its center. The core material 8 is made of steel wire or the like and is bent so as to conform to the configuration of the frame body 7" (Col. 2, lines 56 – 61). Clearly, the

Appl. No.: 10/707428
Amdt. Dated: 3/21/2005
Reply to Office action of: 12/28/2004

Takahashi reference does not disclose, teach, or fairly suggest Applicants' claimed invention.

A fair reading of the Brady (3,610,680) reference discloses a sun visor comprising "...a foundation board 30, padding 32 which is wrapped around the foundation board 30, and an outer skin or covering 34 of vinyl or cloth which is wrapped around the padding 32" (Col. 2, lines 23 – 26). It is further taught that the "ear" is part of the foundation board 30 requiring no connecting hinge since the "ear" is an integral part of foundation board 30. Specifically, "...the foundation board 30 is provided with a transverse groove 42 adjacent one end 44 thereof before it is padded and covered. As shown in FIGS 2, 3 and 6, the groove 42 has its base portion defined by a reduced thickness portion 46 of the board" (Col. 2, lines 31 – 36). Furthermore, the figures clearly show that in order for the end of the foundation to flex there is no frame around the foundation. Thus, the Brady reference teaches an integral moveable sun visor body portion as an integral to the whole sun visor foundation and a sun visor that requires no frame so as to allow movement of one end of said sun visor. Clearly, the Brady reference does not disclose, teach, or fairly suggest Applicants' claimed invention.

A fair reading of the Masi (3,445,135) reference discloses the use of an "...opaque material, in which there are formed a plurality of small through holes regularly distributed according to a quincunx pattern. The holes are spaced apart and may be of a diameter from 0.5 to 1.5 mm, and the mutual distance between the centres thereof may be from 1.5 to 4 mm." (Col. 1, lines 26 – 31). The Masi reference does not, however, teach a moveable ear portion on a sun visor. Clearly, the Masi reference does not disclose, teach, or fairly suggest Applicants' claimed invention.

The Takahashi, Brady, and Masi references are not combinable. The Takahashi reference requires a rigid frame to support the sun visor body portion. The Brady reference requires a rigid sun visor body with an integral moveable portion requiring that no rigid frame be used to allow movement of said moveable body portion. The Masi reference does not disclose a moveable body portion. Even if the Takahashi, Brady, and Masi references were combinable, which they are not, they do not reach applicant's claimed invention. None of these references discloses, or fairly suggests the use of a separate ear portion which is mounted to a sun visor body portion and which also uses the

Appl. No.: 10/707428
Amdt. Dated: 3/21/2005
Reply to Office action of: 12/28/2004

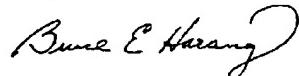
mounting device as hinge. Clearly, no combination of Takahashi, Brady, and Masi, even if possible, disclose, teach, or fairly suggest Applicant's claimed invention.

Applicants' claimed invention does not require the two-part frame of Takahashi, the living hinge of Brady, or the specific quincunx through hole pattern of Masi. In fact, the Takahashi rigid frame surrounding the complete sun visor would not allow for a flexible ear at all and would defeat the whole purpose of the Brady teaching. In view of the remarks herein it is submitted that this rejection should be removed, and such action is respectfully solicited.

Applicants' note the prior art made of record but not relied upon by the Examiner. Since this art was not the basis of a rejection Applicants' make no further comment regarding this prior art.

In view of the remarks herein, and the amendments hereto, it is submitted that this application is in condition for allowance, and such action and issuance of a timely Notice of Allowance is respectfully solicited.

Respectfully submitted,



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